



JPW

## AMENDMENT TRANSMITTAL LETTER

Docket No.  
M4065.0489/P489-A

Application No.  
10/734,201-Conf. #4789

Filing Date  
December 15, 2003

Examiner  
H. J. Tsai

Art Unit  
2812

Applicant(s): Donald L. Yates

Invention: DEVICE HAVING IMPROVED SURFACE PLANARITY PRIOR TO MRAM BIT MATERIAL DEPOSITION (amended)

### TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	14	- 18 =		x	
Independent Claims	2	- 3 =		x	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					0.00

☒ Large Entity

☐ Small Entity

☒ No additional fee is required for this amendment.

☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.  
A duplicate copy of this sheet is enclosed.

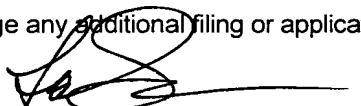
☐ A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director is hereby authorized to charge and credit Deposit Account No. 04-1073  
as described below. A duplicate copy of this sheet is enclosed.

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☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

  
Thomas J. D'Amico  
Attorney Reg. No.: 28,371

Dated: September 16, 2005

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Docket No.: M4065.0489/P489-A  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

\_\_\_\_\_  
In re Patent Application of:  
Donald L. Yates et al.

Application No.: 10/734,201

Confirmation No.: 4789

Filed: December 15, 2003

Art Unit: 2812

For: DEVICE HAVING IMPROVED SURFACE  
PLANARITY PRIOR TO MRAM BIT  
MATERIAL DEPOSITION (amended)  
\_\_\_\_\_

Examiner: H. J. Tsai

**AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

In response to the Office Action dated June 16, 2005 (Paper No. 0605), please amend the above-identified U.S. patent application as follows:

**Amendments to the Specification** are shown beginning on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 5 of this paper.

**Remarks/Arguments** begin on page 9 of this paper.